



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ೦೪, ಜನವರಿ, ೨೦೨೫(ಪುಷ್ಯ, ೧೪, ಶಕವರ್ಷ, ೧೯೪೬) BENGALURU, SATURDAY, 04, JANUARY, 2025(PUSHYA, 14, SHAKAVARSHA, 1946)	ಸಂ. ೦೫ No.05
------------------------	---	-----------------

GOVERNMENT OF KARNATAKA

No. UDD 78 MNJ 2024 (E)

Karnataka Government Secretariat
Vikasa Soudha, Bengaluru
Dated :04.01.2025.

NOTIFICATION-II

In exercise of the powers conferred under Section 13-E of Karnataka Town and Country Planning Act, 1961, the Government of Karnataka proposes to make certain amendments with respect to premium F.A.R to zonal regulations of Master Plan of the Bengaluru-Mysuru Infrastructure Corridor Area Planning Authority (BMICAPA) approved by the State Government vide Government Order No. UDD 75 BemRuPra 2003, Dated: 12.02.2004.

Any objections or suggestions from the public on this amendment may be addressed to the Additional Chief Secretary to Government, Urban Development Department, Vikasa Soudha, Bangalore 560001, within thirty days of this publication. Objections / suggestions received after the stipulated date will not be considered by the State Government.

DRAFT REGULATIONS

Insertion of Section 5: In the zonal regulations of the approved Master Plan of the Bengaluru-Mysuru Infrastructure Corridor Area Planning Authority (BMICAPA) in force, after section 4, the following section 5 may be inserted namely;

SECTION - 5: PREMIUM F.A.R GRANTED BY LEVY OF PREMIUM CHARGES.

1. The Premium F.A.R by levy of premium charges is the additional F.A.R granted over and above the ordinarily permissible F.A.R, on the basis of levy of premium charges by the Authority who accords permission for development of building or land under section 15 of the Karnataka Town & Country Planning Act, 1961, and in the areas as specified under Clause 2 below.

(೧)

2. The maximum additional F.A.R available for utilization for development of additional area in any property by purchase of Premium F.A.R shall be not more than the maximum extent given in the table below and only on such roads and areas as given in table below. Provided further that in order to utilize the full extent of the additional F.A.R, the Premium F.A.R shall be utilized along with the DRCs/TDRs issued under section 14B, as per table given below:

Table No.5.01

Areas as defined by the Road Width where Premium F.A.R may be issued (m)	Maximum permissible additional F.A.R for a property for which Premium F.A.R by levy of charges is granted	How the maximum allowed additional F.A.R in Col (2) should be availed as shown below	
		Maximum additional F.A.R via Premium F.A.R which may be granted by levy of charges	The additional F.A.R which may be availed using D.R.C / T.D.R alongwith the Premium F.A.R
(1)	(2)	(3)	(4)
>9, <=12	0.2	0.2	NIL
>12, <=18	0.4	0.3	0.1
>18	0.6	0.4	0.2

- Entries in column (2), (3) and (4) are in multiples of permissible F.A.R.
- NOTE: If Premium F.A.R is used for a property then as per above table the maximum permissible additional F.A.R shall be as per Col (2) and the said maximum additional F.A.R should be taken subject to maximum limit on Premium F.A.R and anything more than that should be utilized from the D.R.C/T.D.R.
3. The format for application and utilisation of the Premium F.A.R granted by levy of premium charges shall be in the prescribed format.
4. The Premium F.A.R granted by levy of premium charges, not exceeding limits as specified in point 2, may be allowed at the building site abutting road width of more than 9m.
5. Premium F.A.R charges -
- The guidance value of the developed site on the same plot & put to same use as intended to be built using Premium F.A.R, shall be taken as the base value.
 - Premium F.A.R charges shall be 50% of the guidance value of the additional notional sital area. Provided that Premium F.A.R charges

per square meter of the additional area built shall not be less than 28% of the rate of the said Guidance Value for per square meter.

Illustration

Particulars	
Area of the site / Plot where Premium F.A.R is sought	10000 sq.m
Latest Guidance Value of the Developed site at Plot as per Notification u/s 45B of Karnataka Stamp Act 1957	Rs.5000 per sq.m
Coverage Allowed on each Floor (say)	50%
Area of Each Floor = Plot Area x 50%	5000 sq.m
Allowable F.A.R	2.5
Allowable total Built Up Area (Permissible F.A.R)	10000x2.5=25000sq.m
Permissible number of floors (25000/5000)	5
No. Of Extra Floors desired by the developer (for illustration purpose)	2
Additional Built-Up Area to be constructed through Premium F.A.R	10000 sq.m
Additional F.A.R Area required as Premium F.A.R (Notional Area)	10000 sq.m/2.5=4000 sq.m
Premium F.A.R as ratio of the otherwise allowed F.A.R = 10000/25000=40%	0.4
Premium F.A.R as % age of Permissible F.A.R (this is within allowed limits of Premium F.A.R as per table in Regulation 2 above)	40%
Value of the Notional Land for additional 10000 sq.m to be constructed using Premium F.A.R = 4000 x GV of Developed Land	4000 sq.m x 5000 = Rs.2,00,00,000/-
Premium F.A.R charges = 50% of GV of the Notional Land (4000 sq.m)	50% of 2,00,00,000/- = Rs.1,00,00,000/-
Per square meter rate of the additional 10000 sq.m built up area = Premium F.A.R charges @ 50% divided by 10000	1,00,00,000/-/10,000 = Rs.1000 per sq.m
Lower Floor Cap for per sq meter cost of additional 10000 sq.m @ 25% of the GV Rate of the Notional Land)	28% of 5000 = Rs.1400 per sq.m
Final Price for additional built up area of 10000 sq.m @ Rs.1400 per sq.m	Rs.1400 per sq.m x 10000 sq.m Rs.1,40,00,000/-

6. The Guidance Value at building site shall be latest developed site rates as on the date of issue of Utilisation Certificate for the Premium F.A.R granted by levy of premium charges and for the use that the property is put to or sought to be put to and as published in the Gazette Notification by the Government of Karnataka under the Karnataka Stamp Act 1957.
7. The Guidance Value of land at building site shall not be taken from the Guidance Value of Agricultural or Converted Undeveloped land.

-
8. The cost of construction prescribed in the Notification under section 45B of the Karnataka Stamp Act 1957 shall be used for the purpose of calculating the value of the additional building being constructed through Premium F.A.R.
 9. In case of 2 or more abutting roads at building site, the highest Guidance Value provided to a road abutting the building site shall be considered for levying premium charges for grant of the Premium F.A.R.
 10. The Certificate of the Premium F.A.R granted by levy of premium charges shall be issued subject to free of cost relinquishment of area reserved for public utility and Master Plan Roads overlapping at Building Site and other provisions of the Karnataka Town & Country Planning Act, 1961, to the Planning Authority or Urban Local Bodies who issues the Premium F.A.R Certificate. In case of any dispute regarding any of above, by the Developer, the Chief Executive Officer of the Planning Authority or Urban Local Body, which is issuing the Premium F.A.R, reserves the full right to not to allow any release of plan and certificate of Premium F.A.R grantable by levy of premium charges.
 11. Certificate for Premium F.A.R granted by levy of premium charges shall be surrendered to the authority sanctioning or approving the development plan under section 15 of the KTCP Act, 1961, before the release of plan sanction of the Building on which Premium F.A.R is loaded.
 12. Premium F.A.R shall not be transferrable and must be utilised only at the building site for which it is issued.
 13. Premium F.A.R granted by levy of premium charges if left unutilised with a Developer or a Purchaser due to any reason whatsoever shall not be transferred or reimbursed by the authority which issued it.
 14. Premium F.A.R granted after levy of premium charges may be renewed by the authority which issued it or is authorized to issue it, in case of expiry of license period after taking sanction of Plan, subject to payment of revised Premium F.A.R charges as may be applicable on the date of renewal.
 15. Developed Site Guidance Value for the land and Building Cost for the building at building site based on location and type of use, as on the date of issue of Certificate for Premium F.A.R shall be applicable for levying Premium charges for grant of Premium F.A.R. Any increase in the Guidance Value of land or the building cost, at building site after the date of application of Building Plan and before the release of Certificate shall be passed on to the Developer/Applicant.
 16. In case of subsequent modification of plan or change of land use, the difference of premium charges for grant of Premium F.A.R shall be levied and recovered from the Developer/Applicant at the time of issuance of modified plan.

17. Accounting for the Premium F.A.R granted on the basis of levy of premium charges shall be maintained by the Authority which issued it.
18. Transfer of the Certificate of Premium F.A.R granted by levy of premium charges from one site/property to another shall not be allowed for any reason whatsoever.
19. The premium charges levied for the grant of Premium F.A.R shall be non-refundable in case of cancellation of Building Plan.
20. Setback relaxation for the utilisation of Premium F.A.R granted by levy of premium charges shall be same as what is applicable in the existing rules for utilisation of the D.R.C/T.D.R.
21. The premium charges collected by grant of premium floor area ratio shall be deposited in a separate head of account and shall vest solely with the Authority which issued it and the same shall be utilized only for the purposes of land acquisition and public infrastructure and the development of public infrastructure within the jurisdiction of the said Authority; and shall not be utilized, inter-alia, for repairs, maintenance and miscellaneous works at any time.
22. The transfer of funds from the corpus of premium charges levied for grant of Premium F.A.R for infrastructure development within the jurisdiction to any other separate Authority or SPV or Development Agency shall be as per order, either specific or a general policy, of the Government.
23. All appeals with respect to grant of Premium F.A.R by levy of premium charges by the authorized Authority shall lie with Additional Chief Secretary, Urban Development Department, Government of Karnataka, whose decision shall be final.
24. Undervaluation of premium charges leviable for grant of Certificate of Premium F.A.R shall be a cognizable offence similar to defalcation of public funds illegally from the Government Treasury and liable for action for Theft and Criminal Breach of Trust by Public Servants as punishable under Prevention of Corruption Act and the Bharathiya Nyaya Samhita (BNS). If proved, an amount equal to double the amount of undervaluation shall be recovered from the public servants concerned who are jointly and severally liable without prejudice to any other criminal and departmental proceeding that may be undertaken.

By Order and in the name of the
Governor of Karnataka

(RAJESH S SULIKERI),
Under Secretary to Government
(BDA & B'lore-1)
Urban Development Department.